

UNCLASSIFIED

K337

ORIGIN NEA-00

RELEASED IN FULL

INFO	LOG-00	NP-00	AGRE-00	AID-00	AMAD-00	A-00	CA-00
	CIAE-00	INL-00	USNW-00	DODE-00	DOTD-00	WHA-00	DS-00
	EAP-00	EB-00	EUR-00	OIGO-00	FAAE-00	UTED-00	H-00
	TEDE-00	INR-00	IO-00	JUSE-00	L-00	M-00	DCP-00
	NSAE-00	NSCE-00	OIC-00	OIG-00	OMB-00	EPAU-00	CAEX-00
	PA-00	PM-00	GIWI-00	IRM-00	TRSE-00	SA-00	FMP-00
	BBG-00	R-00	EPAE-00	IIP-00	PMB-00	DSCC-00	PRM-00
	SAS-00	/000R					

269469

SOURCE: CBLEXCLS.002877

DRAFTED BY: NEA/P:RSHORE -- 12/17/2004 202-647-5919

APPROVED BY: NE/P:GSULLIVAN

NEA/P

-----96CF39 172126Z /38

O 172118Z DEC 04

FM SECSTATE WASHDC

TO ALL NEAR EAST IMMEDIATE

ALL NEAR EASTERN AND SOUTH ASIAN DIPLOMATIC POSTS IMMEDIATE

EUROPEAN POLAD COLLECTIVE IMMEDIATE

AMEMBASSY DOHA IMMEDIATE

AMEMBASSY WARSAW IMMEDIATE

AMEMBASSY KUALA LUMPUR PRIORITY

AMEMBASSY LONDON PRIORITY

AMCONSUL ADANA PRIORITY

AMCONSUL ISTANBUL PRIORITY

UNCLAS STATE 269469

1) INFORM CONSULS-PASS PAOS-MILITARY ALSO FOR POLAD 2) EMBASSY, LONDON PLEASE PASS TO POLITICAL OFFICER ETHAN A. GOLDRICH 3) EMBASSY LONDON PLEASE PASS TO MOU: N. KHOURY 4) EMBASSY BAGHDAD PLEASE PASS TO CPA MICA SCHWEITZER-BLUHM/BILL CAVNESS 5) EMBASSY DJIBOUTI PLEASE PASS TO PUBLIC AFFAIRS OFFICER TIFFANY M. BARTISH

E.O. 12958: N/A

TAGS: IS, KPAO, OPRC, PREL

SUBJECT: NEA PRESS GUIDANCE 12/17/04

THE FOLLOWING GUIDANCE IS PROVIDED FOR POST'S INFORMATION:

1) SYRIA: INTERFERENCE IN IRAQ

Question: Any follow up to Department of Defense statements that Syria is not doing enough to stop Iraqi insurgents in its territory?

UNCLASSIFIED

UNCLASSIFIED

-- The insurgency in Iraq is receiving external support from individuals operating outside of Iraq, and Syria must do more to prevent its territory from being used by those seeking to destabilize Iraq.

-- The Syrian government must act to stop the use of Syrian territory as an assembly point for Jihadists, money, and resources, as well as a base of opposition elements.

-- The Sharm el-Sheikh communiqué, of which Syria is a signatory, calls on all countries to contribute to the stability of Iraq, prevent the transit of terrorists and arms to and from Iraq, and the financing that would support terrorists. It also calls upon all international parties to intensify cooperation to control Iraqi borders.

We call upon the Syrian government to abide by these and previous commitments.

2) ISRAEL/PALESTINIANS: ASSISTANCE EFFORTS TO PALESTINIANS

-- There have been no decisions regarding the numbers or level of assistance to the Palestinians. We continue to be in close and ongoing discussions with international and regional leaders regarding how best to assist the parties in making progress towards a peaceful resolution of the conflict.

-- As NEA Assistant Secretary Bill Burns noted at the Oslo Meeting of the Ad Hoc Liaison Committee last week, "if Palestinians and Israelis approach the challenges (that lie ahead) with a new spirit of determination, they will find a donor community equally determined to do all it can to help."

-- That said, we must be realistic about the daunting challenge that lays ahead for the parties. Our ability to support their efforts relies entirely on their ability to make progress towards these goals. There are no shortcuts here, no evading plain truths about either the problems or the solutions, and both sides have obligations.

-- For Palestinians, performance on security is absolutely essential. So is renewal of the democratic reform process, a serious drive against corruption and continuation of an already exemplary set of financial reforms. Such efforts are not a favor to donors they represent goals deeply in the self-interest of Palestinians preparing for statehood. For Israelis, bolder measures to ease the movement of people and goods are vital. So are many other steps to create a sense of economic and political hope for Palestinians.

UNCLASSIFIED

UNCLASSIFIED

-- As Bill Burns summed up, "this is an enormously promising but fragile moment, with a real sense of urgency, and as President Bush has made clear, the United States will do its part."

Background

-- At the Ad Hoc Liaison Committee meeting in Oslo last week, Bill Burns announced the following:

-- First, we will continue to provide a substantial overall package of assistance for Palestinians, which in 2004 has totaled about 200 million dollars.

-- Second, we are providing 2.5 million dollars in technical assistance for Palestinian Presidential elections and another 1 million dollars to fund international observers for those elections.

-- Third, we are announcing today 20 million dollars in direct budgetary support to the Palestinian Authority, reflecting our confidence in the direction of the PAs reform program, their fulfillment of the mid-2004 World Bank Reform Trust Fund benchmarks for financial management, and our expectation that reform will continue to be implemented energetically.

-- Fourth, we urge the wider donor community, particularly those who have made pledges to the PA in the past but not yet fulfilled them, to maximize their contributions in the weeks and months ahead, as the PA undertakes vigorous reform. The World Bank Reform Trust Fund provides an excellent vehicle for such assistance.

-- Fifth, we support the convening of a carefully-prepared Consultative Group meeting and formal pledging session as early as possible in 2005, building on the positive momentum generated by this AHLC and continuing steps by the parties themselves.

-- Finally, we will work actively to encourage direct coordination between Israel and the Palestinian Authority on implementation of Gaza disengagement. Such coordination is essential, and can help rebuild the habit of direct dialogue so critical to future negotiations.

3) IRAQ: VISIT OF IRAQI FINANCE MINISTER

-- We are very pleased to have the Iraqi Minister of Finance, Dr. Adil Abd al-Mahdi here in Washington to

UNCLASSIFIED

UNCLASSIFIED

participate in the second annual U.S.-Iraqi Joint Economic Commission on December 20-21. While here, Minister al-Mahdi will meet with a wide array of U.S. officials, including Deputy Secretary Armitage on Monday.

-- Also accompanying the Minister of Finance, are the Governor of Iraq's Central Bank Dr. Sinin Al-Shabibi, Deputy Oil Minister Dr. Radwan, and a number of senior officials from the Iraqi Ministries of Finance, Oil, Planning, Privatization Affairs, Trade, Agriculture, and Foreign Affairs.

-- Among the topics we will discuss are finance and banking policy, privatization and budgetary issues and process.

-- As part of this visit, the United States and the Minister of Finance will sign a Bilateral Debt Forgiveness Agreement in which the United States will forgive \$4.1 billion in U.S.-owned debt in Iraq (today at 11:30AM).

In addition, we expect to conclude two Memoranda of Understanding between the Ministry of Oil and the Departments of State and Energy respectively to provide training and exchange of information between the U.S. and the Iraqi Ministry of Oil. We will have more details for you on these agreements when they are signed next week.

4) ISRAEL/PALESTINIANS: RAZING OF PALESTINIAN HOMES

Q: What comment do you have regarding reports of Israeli bulldozing of Palestinian homes?

-- We continue to urge both sides to refrain from actions that escalate tensions, exacerbate humanitarian suffering, and create obstacles to implementing the roadmap and realizing the President's two-state vision.

We urge all parties, especially at this moment of opportunity for progress, to remain focused on measures to bring an end to violence and terror.

5) ISRAEL/PALESTINIANS: MEETING IN LONDON

Q: Can you comment on FM Shalom's call for an "international summit" to support reform initiatives from the new Palestinian leadership? Can you also comment on reports that PM Sharon has agreed to attend a London Meeting to advance the cause of peace?

UNCLASSIFIED

UNCLASSIFIED

-- Regarding Foreign Minister Shalom's comments on an "international summit to support Palestinian reform efforts," I would refer you to the Government of Israel.

-- Regarding the proposed international meeting in London, in his November 12th press conference with visiting U.K. Prime Minister Tony Blair, President Bush made clear that the U.S. would support the idea of a meeting in London that would help the Palestinians meet the obligations necessary for progress towards a peaceful resolution. That commitment remains unchanged.

6) Iraqi Defense Minister on War Crimes Trials

Q. What is the latest on when trials of senior regime officials will start? Is the IST ready? Will the process be fair and credible?

Key Points

-- We understand that a court process involving investigative judges and a hearing for several former regime officials will be held next week; the accused and their attorneys will be required to go to court.

-- Each trial process will take time and consist of several stages. This is an Iraqi court, run by Iraqi judges. For further comments on the timing or specifics of upcoming court proceedings, I refer you to the Iraqi Government.

-- We believe that as the Iraqi Special Tribunal continues its investigations, the process will become more visible to the general public; we will see more hearings and legal motions take place.

-- The Iraqis continue to seek assistance from the international community as they prepare for trials and develop the structures of the Iraqi Special Tribunal.

-- The United States and other international partners are providing assistance to the Iraqis to help ensure that they have the necessary resources, assistance, and training to conduct fair, open and effective prosecutions.

-- Within the United States Government, the Department of Justice has the lead for this assistance. The Regime Crimes Liaison, s Office is now working with Iraqi counterparts to support the Iraqi Special Tribunal.

Q. Will &Chemical Ali,s8 trial start next week?

UNCLASSIFIED

UNCLASSIFIED

-- It is up to the judges on the Iraqi Special Tribunal to set the pace of any trial proceeding.

Q. Will Saddam and other senior officials have a lawyer?

-- All those accused of crimes have been provided or will be provided attorneys, and access to these attorneys is something that will obviously be granted.

Background: Following on Allawi's statement yesterday that war crimes trials will begin next week, an Iraqi Defense Minister Shaalan said today that Ali Hassan al-Majid (&Chemical Ali&) will be the first to stand trial, and that his trial would begin sometime before elections in January. What we know will occur next week are the first investigative hearings, in which an investigative judge meets with the accused. The hearings will involve Chemical Ali and Soultan Hashim, former head of I Corps during the Anfal campaign (the late 80's campaign against the Kurds). While we can say that this is the beginning of the legal proceedings, we do not expect actual trials to begin for some time.

The Iraqi Special Tribunal, based in Baghdad, has jurisdiction over Iraqi nationals or residents of Iraq, and over the following crimes committed between July 17, 1968 and May 1, 2003: crimes of genocide, crimes against humanity, war crimes, tampering with the judiciary, waging war on an Arab state and squandering Iraqi assets.

7) U.S. Court Ruling on U.S. Citizen Terrorism Suspect (Abu Ali) in Saudi Arabia

Q: What implications does the U.S. ruling that U.S. courts had jurisdiction on Ahmed Abu Ali, a terrorism suspect being held in Saudi Arabia, have? Does the U.S. have a policy that supports sending suspects, amcits and non-amcits, to other countries? Will this ruling change that policy?

-- the u.s. is studying the decision.

8) LEBANON/HEZBOLLAH: Terrorist Exclusion List Designation of al-Manar TV

Q: Why did the State Department designate al-Manar TV as a terrorist organization on the Terrorist Exclusion List (TEL)?

-- We have designated al-Manar television based on its incitement of terrorist activities.

UNCLASSIFIED

UNCLASSIFIED

- An organization can be placed on the Terrorist Exclusion List, UNDER section 212 OF THE IMMIGRATION AND NATURALIZATION ACT, if the Secretary of State finds that the organization:
- Commits or incites to commit, under circumstances indicating an intention to cause death or bodily injury, a terrorist activity;
- Prepares or plans a terrorist activity;
- Gathers information on potential targets for terrorist activity; or
- Provides material support to further terrorist activity.

Q: What are the penalties for al-Manar?

- The United States may exclude aliens having certain associations with al-Manar, based on its designation under the Terrorist Exclusion List.
- For example, an alien may be found inadmissible to the U.S. (ineligible for visas and/or deportable) if the alien: is a member of al-Manar, solicits funds or other things of value for al-Manar, provides material support to al-Manar, or solicits any individual for membership in al-Manar.

Q: Are there individuals we have identified for deportation? Do we have to deport? Under what circumstances would we deport?

- As I said, aliens who have certain connections to al-Manar are subject to deportation proceedings.
- Deportation proceedings are under the authority of the Department of Homeland Security.

Q: What is the difference between a &terrorist organization8 (al-Manar) and a &foreign terrorist organization8 (Hizballah)? Why are you using the Terrorist Exclusion List in this instance?

- We have a number of tools available to designate terrorist organizations.
- Lebanese Hizballah is designated under E.O. 13224, E.O. 12947, and as a Foreign Terrorist Organization under Section 219 of the Immigration and Naturalization Act.

UNCLASSIFIED

UNCLASSIFIED

-- As I have said, an organization can be placed on the terrorist exclusion list if it:

-- Commits or incites to commit, under circumstances indicating an intention to cause death or bodily injury, a terrorist activity;

-- Prepares or plans a terrorist activity;

-- Gathers information on potential targets for terrorist activity; or

-- Provides material support to further terrorist activity.

-- Full descriptions of these designations can be found on the State Department website under the Office of the Coordinator for Counterterrorism and the Bureau of Economic and Business affairs (www.state.gov/s/ct/terfin and www.state.gov/e/eb/c9984.htm).

Q: Will this action shut down al-Manar broadcasts in the U.S.? Would the company broadcasting the signal be subject to penalties or fines?

-- No. Designation under the Terrorist Exclusion List allows for the exclusion of aliens associated with al-Manar.

Q: Will the USG take additional actions to shut down al-Manar,s broadcasts?

-- I will not speculate about potential future U.S. actions.

Q: Do you have any comment on recent French action against al-Manar? Is the U.S. action related?

-- We welcome the action by the French Council of State related to al-Manar. Refer you to the French government for comment on this action.

Q: Are you trying to shut down free speech?

-- This action has nothing to do with free speech. It has to do with al-Manar,s terrorist activities.

Q: Are you considering similar action against other Arab media outlets, including al-Jazeera and al-Arabiyya?

-- I will not speculate on that.

UNCLASSIFIED

UNCLASSIFIED

(IF PRESSED) Q: Why didn't you acknowledge this action yesterday?

-- Designations under the Terrorist Exclusion List are not official until they are listed in the Federal Register. The designation of al-Manar under the Terrorist Exclusion List was added to the Federal Register today.

9) Statement by Richard Boucher, Spokesman

Designation/Amended Designation of Foreign Terrorist Organizations:
Libyan Islamic Fighting Group and
Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn, aka the
Zarqawi Network

Addition of Al Manar to the Terrorist Exclusion List

The Deputy Secretary of State designated the Libyan Islamic Fighting Group (LIFG) as a foreign terrorist organization under section 219 of the Immigration and Nationality Act, as amended, on December 8, 2004. Also on December 8, the Deputy Secretary of State amended the October 15, 2004, foreign terrorist organization designation of the Zarqawi group to include its new name and translations, Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn, or The Organization of al-Jihad's Base in Iraq. Both of these organizations are also designated under Executive Order 13224 as Specially Designated Global Terrorists.

The Libyan Islamic Fighting Group (LIFG) emerged in 1995 among Libyans who had fought against Soviet forces in Afghanistan. The LIFG is best known for the attempted assassination of Libyan leader al-Qadhafi in 1996. Originally focused on overthrowing the Qadhafi regime and installing a Shari'a-based government, the LIFG subsequently embraced the global jihadist agenda of al-Qaida. Its leadership has long had a close association with al-Qaida, and some senior members of LIFG are believed to be or have belonged to al-Qaida's senior command structure. Libyans associated with the LIFG are part of the support network of the broader international jihadist movement. LIFG members have been directly or indirectly implicated in a number of terrorist activities, particularly in North Africa. LIFG actively targets Libya and is believed to have been involved in planning and facilitating the May 2003 bombings in Casablanca, Morocco. The LIFG constitutes the most serious threat to U.S. interests and personnel in Libya.

The Zarqawi Network, Jam'at al-Tawhid wa'al Jihad,

UNCLASSIFIED

UNCLASSIFIED

was initially designated as a foreign terrorist organization effective October 15, 2004. On October 17, the group,s leader Abu-Mus,ab al-Zarqawi pledged his group,s allegiance to al-Qaida and its leader, Usama bin Laden. Following this pledge, on October 20, the organization issued statements of responsibility for recent anti-U.S. attacks in Iraq on several jihadist websites using a new name, TANZIM QA,IDAT AL-JIHAD FI BILAD AL-RAFIDAYN, which is broadly understood to mean the base of organized jihadist operations in Iraq. Under its new name, the organization continued to engage in terrorist activities under the leadership of Zarqawi, publicly claiming responsibility for the October 24 massacre of 49 unarmed and out-of-uniform Iraqi soldiers and the October 26 kidnapping and subsequent murder by beheading of Japanese citizen, Shosei Koda.

By publishing these decisions today in the Federal Register, we preserve the U.S. Government,s ability to take action against these organizations in accordance with the provisions of the Immigration and Nationality Act, as amended. This act makes it illegal for persons in the United States or subject to U.S. jurisdiction to provide material support to these terrorist groups. It requires U.S. financial institutions to block assets held by them; and it enables us to deny visas to representatives of these groups. The Secretary made this decision in consultation with the Attorney General and the Secretary of the Treasury after a thorough review of these groups, terrorist activities.

On December 14, 2004, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, designated the global satellite television operation, Al Manar, as a terrorist organization under section 411(a)(1)(G) of the USA Patriot Act. This decision has also been published in the Federal Register today. As a result of this designation, Al Manar has been placed on the Terrorist Exclusion List. As a result of this action, the United States may exclude aliens having certain associations with al-Manar.

As we carry on the global campaign against terrorism, we hope these designations will help to isolate terrorist organizations, choke off their sources of financial support, and prevent their members, movement across international borders.

POWELL

NNNN

UNCLASSIFIED